IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 21ST MARCH 2007 / 30TH PHALGUNA 1928

Bail Appl..No. 1693 of 2007()

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Crime No.358/2006 of Aluva Police Station

: ACCUSED

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KABEER.A.A.,
AGED 40 YEARS, S/O.ALIYAR (LATE),
AYAMANAKUTTY, PATTIMATTOM P.O.,
ERNAKULAM.

BY ADV. SRI.M.V.AMARESAN

RESPONDENTS: COMPLAINANT

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STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 21/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**V. RAMKUMAR, J.**

**B.A. No. 1693 OF 2007 B**

**Dated this the 21st day of March, 2007**

**O R D E R**

Petitioner, who is an accused in Crime No.358/2006 of Aluva Police Station for offences punishable under sections 420, 406, 468 and 471 read with section 34 IPC and sections 12(1)(b) and (d) of the Passport Act, seeks anticipatory bail.

2. Learned Public Prosecutor opposed the application submitting, inter alia, that the petitioner had cheated 11 persons by inducing them to part with a sum of Rs.3,80,000/- promising them overseas employment in Kuwait and that the petitioner is also involved in other similar crimes. Public Prosecutor also submitted that the petitioner is an accused in a case involving Arms Act for the recovery of a sword from his residence.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer for the purpose of interrogation and then to have his application for regular bail considered by the Magistrate concerned. Accordingly, the petitioner is directed to surrender before the Investigating Officer on any day between 27.3.2007 and 29.3.2007 for the purpose of interrogation and recovery of incriminating materials,

if any. The petitioner shall, thereafter, be produced on the same day before the concerned Magistrate, who shall consider and dispose of the application, if any, filed by the petitioner for regular bail, preferably on the same date on which it is filed.

This application is disposed of as above.

**(V. RAMKUMAR, JUDGE)**

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